DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Denmark	2018	Denmark/ the Western High Court/ available in the Journal of Criminal Law (Tidsskrift for Kriminalret) TfK 2018.135/2 V (appeal decision)		Racial or ethnic origin, Racial or ethnic origin	National higher court (Vestre Landsret)	The defendant commented a picture in a group on Facebook. The picture depicted a police officer and a refugee playing on the road. The defendant wrote the following about refugees: "They come here to get a better life and think they will get everything served on a platter when they land here. There is only one thing to say and that is what the Polish minister of foreign affairs said "they are human garbage" and they have nothing ... nothing to do here..." The defendant plead not guilty because he thought that the Facebook group was private. He also deleted his comment after he found out that his friends on Facebook could read it.	Both the lower and the higher court acquitted the defendant.	The lower court and the higher court both acquitted the defendant. Both courts found that it was not proven that the defendant had the intent to address the statement to a broader audience. However, it was undisputed that the statement was taunting and demeaning towards a group of people.		"De kommer her for at få et bedre liv og tror de får det serveret på en platte når de lander her. Der er kun en ting og sige det er blevet sagt af den Polske udenrigsminister »De er menneskeligt affald« og de har intet ...Intet at gøre her..." : "They come here to get a better life and think they will get it served on a platter when they come. There is only one thing to say and that is what the Polish minister of foreign affairs said "they are human garbage" and they have nothing ... nothing to do here..."

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